



United States Government

NATIONAL LABOR RELATIONS BOARD
1099 14th STREET NW
WASHINGTON DC 20570

Re: Con-way Freight Inc.
Case 31-RC-136543

ORDER

The Employer's Motion to Strike the Union's Exceptions to the Hearing Officer's Report and Recommendations on Objections is denied. The Employer relies on the Board's Rules governing unfair labor practice proceedings, specifically Section 102.46(b)(1) identifying the requirements for exceptions filed to an administrative law judge's decision. The Board has recognized, however, that these provisions do not apply to postelection representation proceedings. See *Mental Health Association*, 356 NLRB No. 151, slip op. at 1 fn. 2 (2011).

The Petitioner's exceptions here meet the procedural standards articulated under Section 102.69. The exceptions were filed in a timely manner; they do not exceed 50 pages in length; and they were served on all parties. Accordingly, the exceptions need not be stricken for procedural deficiencies.

By direction of the Board:

Dated, Washington, D.C., March 13, 2015.

Farah Z. Qureshi
Associate Executive Secretary